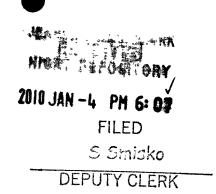
Facsimile: (928) 771-3110

Phone: (928) 771-3344

YAVAPAI COUNTY ATTORNEY'S OFFICE JOSEPH C. BUTNER SBN 005229 DEPUTY COUNTY ATTORNEY 255 East Gurley Street Prescott, AZ 86301 Telephone: 928-771-3344 ycao@co.yavapai.az.us



IN THE SUPERIOR COURT OF STATE OF ARIZONA IN AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA,	Cause No. P1300CR20081339
Plaintiff,	Division 6
v.	STATE'S RESPONSE TO DEFENDANT'S MOTION IN LIMINE TO PRECLUDE
STEVEN CARROLL DEMOCKER,	POLICE OFFICERS FROM TESTIFYING AS EXPERTS
Defendant.	

The State of Arizona, by and through Sheila Sullivan Polk, Yavapai County Attorney, and her deputy undersigned, hereby submits its Response to Defendant's Motion *in Limine* to Preclude Police Officers from Testifying as Experts. None of the law enforcement officers listed in Defendant's motion has been listed as an expert witness and the State does not intend to elicit expert testimony from any of them, however, the State will seek "opinions or inferences which are (a) rationally based on the perception of the witness and (b) helpful to a clear understanding of the witness' testimony or the determination of a fact in issue" from all lay witnesses as allowed by *Ariz. R. Evid.*, Rule 701.

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255 E. Gurley Street, Suite 300
Prescott, AZ 86301
Phone: (928) 771-3344 Facsimile: (928) 771-3110 Office of the Yavapai County Attorney

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1	RESPECTFULLY SUBMITTED this January, 2010.
1	RESI ECTIOLET SOBWITTED uns / January, 2010.
2	
3	Sheila Şullivan Polk YAVARAI COUNTY ATTORNEY
4	
5	By: Lennis My Dea
6	Joseph C. Butner Deputy County Attorney
7	beputy County Attorney
8	
9	COPIES of the foregoing delivered this _니th day of January, 2010 to:
10	
11	Honorable Thomas J. Lindberg Division 6
12	Yavapai County Superior Court (via email)
13	
14	John Sears 107 North Cortez Street, Suite 104
15	Prescott, AZ 86301 Attorney for Defendant
16	(via email)
17	Larry Hammond
18	Anne Chapman
	Osborn Maledon, P.A. 2929 North Central Ave, 21 st Floor
19	Phoenix, AZ Attorney for Defendant
20	(via email)
21	
22	By: Deb Cowell
23	
24	
25	